

file: South Africa

July 30, 1986

CONGRESSIONAL RECORD — SENATE

S 9907

Mr. DURENBERGER (for himself and Mr. McCONNELL) submitted an amendment intended to be proposed by them to the bill (S. 2701) to provide a comprehensive policy for the United States in opposition to the system of apartheid in South Africa, and for other purposes; as follows:

At an appropriate place in the bill, add the following:

"RESTRICTION ON INTELLIGENCE LIAISON WITH SOUTH AFRICA

"Sec. . . No agency or entity of the United States which is involved in intelligence activities may, directly or indirectly, provide any intelligence information to the Republic of South Africa which pertains to the African National Congress or any other South African group, movement, organization or individual which is engaged in activities in opposition to the government of the Republic of South Africa, except if the information credibly indicates the imminent likelihood of violent action calculated to threaten human life. In the event that any intelligence information pertaining to opposition activities is transmitted to the Republic of South Africa, either in an authorized or unauthorized manner, the Director of Central Intelligence shall promptly inform the Select Committee on Intelligence of the Senate and the Permanent Select Committee of Intelligence of the House of Representatives of the facts and circumstances regarding the nature of the information and its transmission."

● Mr. DURENBERGER. Mr. President I am pleased to join my colleague Senator LUGAR, chairman of the Senate Foreign Relations Committee, in introducing legislation to advance American policy with regard to South Africa. Like most Members of Congress and the American people at large, I was disappointed in the "stand-pat" posture recommended by the President 2 weeks ago. It is my hope that the Lugar bill will provide a foundation for a bipartisan consensus, which I hope the administration can be persuaded to join. An equivocal message to the Government of South Africa is no message at all. Chairman LUGAR's effort today fills the gap that currently exists between partisan solutions on the one hand and nonsolutions on the other. I believe this legislation is the vehicle through which Americans can enunciate with one voice the message that apartheid is anathema to our concept of human dignity and we demand change.

Mr. President, I am submitting for printing an amendment to S. 2701, to impose a prohibition on intelligence sharing with the Government of South Africa. The amendment states that:

No agency or entity of the United States which is involved in intelligence activity may, directly or indirectly, provide any intelligence information to the Republic of South Africa which pertains to the African National Congress or any other South African group, movement, organization or individual which is engaged in opposition to the government of South Africa.

The amendment also spells out a single exception from the prohibition, the sharing information which credibly indicates imminent and calculated

threat to human life. The exemption has been carefully drafted to insure that intelligence agencies maintain their ability to combat acts of terrorism against innocent victims. In the event that information is shared for this purpose, the amendment specifically requires the Director of Central Intelligence to report such actions to the intelligence committees of the House and Senate.

We are unyielding in our opposition to terrorism of any kind or for any purpose. I would expect, in this regard Mr. President, that the intelligence agencies would provide information either to the South African Government or to the front-line states or the ANC when actions by any party indicate that a threat to human life is likely to occur.

Mr. President, my intent in offering this amendment is clear: to send the message to South Africa and the world that the United States does not take the side of the South African Government against its opposition. I want to indicate to my colleagues that I intend to offer this amendment when the Senate takes up its sanction package here on this floor and urge its addition to that legislation.●

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. WEICKER. Mr. President, I would like to announce that the Senate Small Business Committee will hold a full committee hearing on S. 2647, a bill to create the Corporation for Small Business Investment. The hearing is scheduled for Thursday, August 7, 1986, and will begin at 9:30 a.m. in room 428A of the Russell Senate Office Building. For further information, please call Ed Tiryakian, of the committee staff at 224-5175.

SUBCOMMITTEE ON WATER AND POWER

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public, that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources has scheduled a hearing on Monday, August 11, beginning at 9:30 a.m. in room SD-366 of the Senate Dirksen Office Building, Washington, DC 20510.

Testimony will be received on S. 2635, to protect the integrity and the quality of certain reaches of the Henry's Fork of the Snake River, ID, and for other purposes.

Those wishing to testify should contact the Subcommittee on Water and Power of the Committee on Energy and Natural Resources, room SH-212, Hart Senate Office Building, Washington, DC 20510. For further information, please contact Mr. Russell Brown at (202) 224-2366.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. HELMS. Mr. President, I wish to announce that the Committee on Agriculture, Nutrition, and Forestry will meet on Friday, August 1, 1986, at 9:30

a.m. in room SR-332, to continue the markup of amendments to the Federal Insecticide, Fungicide, and Rodenticide Act.

The Friday markup is in lieu of the previously scheduled Thursday, July 31, 9:30 a.m. markup.

For further information, please contact the committee staff at 224-2035.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HEINZ. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, July 30, to conduct a business meeting to consider the following items:

S. 829. To authorize the Secretary of the Interior to convey certain lands withdrawn by the Bureau of Reclamation for townsite purposed to the Huntley Project Irrigation District, Ballantine, Montana;

S. 1772. To authorize and direct the Secretary of the Interior to convey certain real property to the Pershing County Water Conservation District;

S. J. Res. 325. To approve the "Compact of Free Association" between the U.S. and the Government of Palau, and for other purposes;

S. 1319. To relieve the Washoe County Water Conservation District, Nevada, of certain Federal repayment obligations.

S. 1542. To amend the National Trails System Act by designating the Nez Perce (Nee-Me-Poo) Trail as a component of the National Trails System;

S. 2439. To amend the Act of February 25, 1920, to provide for competitive leasing of oil and gas for onshore Federal lands and for other purposes;

And to consider the following nominations: Marshall A. Staunton, of California, to be Administrator of the Economic Regulatory Administration; A. David Rossin, of California, to be Assistant Secretary of Energy for Nuclear Energy; Theodore J. Garrish, of Virginia, to be Federal Inspector of the Alaska Natural Gas Transportation System; and Richard H. Francis, of Virginia, to be President of the Solar Energy and Energy Conservation Bank.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ENERGY, NUCLEAR PROLIFERATION, AND GOVERNMENT PROCESSES

Mr. DOLE. Mr. President, I ask unanimous consent that the Subcommittee on Energy, Nuclear Proliferation, and Government Processes, of the Committee on Governmental Affairs, be authorized to meet during the session of the Senate on Wednesday, July 30, 1986, in order to conduct a hearing on Energy Innovations, and the Patent Process.

The PRESIDING OFFICER. Without objection, it is so ordered.

S 9908

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ADDITIONAL STATEMENTS

SAFETY FAILURES AT DAVIS-BESSE

● **Mr. BIDEN.** Mr. President, last month, the Nuclear Regulatory Commission received a report reviewing its own investigation of the June 9, 1985, accident at the Davis-Besse nuclear plant near Toledo, OH. As a reminder of the importance of this accident, I note that many experts regard it as the nearest thing to a meltdown in this country since Three Mile Island.

Clearly the Davis-Besse accident demands a thorough investigation. It represents a major failure of either the risk assessment of nuclear power operations or of the regulations designed to prevent accidents like this one from occurring. Whatever the cause, we must discover and deal with the underlying problems leading to the accident, not just the results of those shortfalls.

Unfortunately, the initial check of the Davis-Besse accident was hindered at its inception from reaching an accurate assessment on the accident's cause—the incident investigation team [IIT] was directed not to look for any NRC responsibility in the accident. I hope this strikes my colleagues as a rather curious instruction, one which would obviously preclude finding a cause of the accident if it stemmed from NRC actions.

The original investigation was effective in describing the events that immediately preceded the accident, and the extraordinary steps operators on the scene took to prevent a meltdown. However, the investigatory team—composed of NRC personnel—failed to comment on the important background events that allowed the accident to occur. For example, it was not even noted that the NRC had recognized the feedwater pumps in question were inadequate, but remained uncorrected for 7 years.

The accident investigation followup released in early June is intended to provide the Commission with recommendations to improve NRC internal procedures and licensee oversight. But while the initial report had its shortfalls, the review team compounded these errors by again concentrating on the symptoms, and missing the disease.

Specifically, the second report did not mention the contribution of the utility management to the problem, nor did it discuss organizational quirks in the NRC that resulted in years of delay in correcting a serious, recognized problem.

The followup team—under the direction of an NRC employee—traced a series of more than 25 memos, responses, orders and recommendations from the NRC and Toledo Edison relating to the pump system in question at Davis-Besse. Mention was even made of an NRC report which “noted that staff review of (the feedwater

pump) was to be completed by June 1984—nearly 5 years after the staff notified Toledo Edison in July 1979 that the modification of the feedwater pump would be required.”

But after building a strong case, the team failed to ask the obvious question of why the NRC was unable to see the changes made, or why the utility was able to avoid the installation of an auxiliary pump for so long. That is the fundamental problem that led to the Davis-Besse accident, and the group sent to learn from the experience of the Davis-Besse investigation completely ignored it.

If there is a clear example of the need for investigations of accidents at nuclear power plants to be conducted by an independent safety board, the two investigations of Davis-Besse provide it. The NRC has been trying to improve its investigations while keeping them within the agency, but it's like trying to fit a square peg in a round hole.

The Commission has turned over the followup report to the Executive Director of the NRC staff. It will be easy for him to accept its recommendations, but that does not mean Congress should. We need to take the step that has met such resistance from the NRC staff so far, and establish an independent Safety Board for Investigations. None of us—Congress, the public, the nuclear industry—benefit from investigations done with eyes closed to who is really at fault.●

THE WHITE HOUSE CONFERENCE ON SMALL BUSINESS AUTHORIZATION ACT

● **Mr. CHAFEE.** Mr. President, I am pleased to join as a cosponsor of S. 2588, a bill introduced by my esteemed colleague, Senator DOMENICI, to make permanent the White House Conference on Small Business.

This conference has proved to be an exceptional forum for men and women, representing businesses of every description, to discuss the problems faced by small businesses across the Nation. Past conferences have produced a wealth of legislative recommendations, over two-thirds of which have been enacted. This record of accomplishment is outstanding testimony to the high quality of the individuals involved, and to be vitality of the conference itself.

Small businesses account for nearly half of our Nation's private employment, and are our greatest resource of new ideas for innovative products and services. All businesses, from the corner drugstore to the multinational corporation, have started with the idea of a single individual. In each and every case, an individual has poured thought, energy, and hard work into this endeavor and created a business. With perseverance, these businesses gain a foothold in the marketplace and together form the American small business community.

As American businesses face increasing foreign competition, survival in the marketplace grows tougher by the day. In order to compete, large corporations retain legions of accountants, financial experts, managers, public relations specialists, and marketing professionals. The owners and operators of small businesses know no such luxury. Each must act in all of these capacities simultaneously, making countless decisions affecting every facet of operations. Yet small businesses continue to form the core of a strong and vital marketplace, accounting for over two-thirds of new jobs in this country each year. Unmatched in flexibility, efficiency, and tenacity, America's small businesses are, in a very real sense, the backbone of our economy.

Small businesses cannot afford armies of lobbyists to assault the Capitol. The men and women who have created and manage our small businesses understand their problems best, and are their own most eloquent advocates. They are a diverse community, 15 million businesses strong. However, this great diversity of interests competing for a willing ear in Washington makes it difficult for any single voice to be heard. The White House Conference allows small businesses to speak with one voice, a voice which has produced a multitude of initiatives resulting in changes beneficial to our economy. This conference gives these men and women the opportunity to tell legislators firsthand what is needed to encourage growth in the small business sector, and how to encourage the growth of the entrepreneurial spirit.

Mr. President, the White House Conference on Small Business has in the past been organized on an ad hoc basis. This bill calls on the President to hold a White House Conference on Small Business once each Presidential term. Hopefully, we will create an institution which will give this Nation's small business men and women a voice in public policy commensurate with their contribution to our economy. I urge all my colleagues to join me in support of this legislation.●

ALCOHOL ABUSE IN AMERICA

● **Mr. HATCH.** Mr. President, In October of 1985, the American Assembly held its Western Regional Conference on public policies affecting alcoholism and alcohol-related problems. This group of 71 men and women included people from Government, Medicine, the clergy, and the alcohol beverage industry. They reached a consensus on a variety of issues and have published a report containing numerous recommendations on how to deal with the national tragedy of alcoholism.

The report shows that just as alcoholism is a problem for all sectors of society, so is preventing alcoholism the responsibility of all sectors of society. It recommends that the public be